PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the U.S. Application of

Michael GRANDCOLAS et al.

Group Art Unit: 2161

Application Serial No.: 09/240,588

Examiner: Elisca, P.

Filed: February 01, 1999

For: METHOD AND SYSTEM FOR AUTOMATICALLY HARMONIZING ACCESS TO A SOFTWARE APPLICATION PROGRAM VIA DIFFERENT ACCESS DEVICES

Box AF
Commissioner for Patents
Washington, DC 20231

RESPONSE TO FINAL OFFICE ACTION

Dear Sir:

In response to the final Office Action mailed November 19, 2001, please reconsider this application and the pending claims 14-27 in view of the following remarks.

In the final Office Action, the Patent Office (PTO) rejected claims 14-27 under 35 U.S.C. 102(e) as being anticipated by Nguyen et al. (U.S. Pat. No. 6,072,870). This rejection is respectfully traversed for at least the following reasons:

With regard to claims 14-21, the PTO asserted that the claimed limitation of "creating a token representative of the data stream from the desired application" is disclosed by Nguyen et al. in col. 18, lines 48-67, specifically,

> "wherein it is stated payment gateway computer system generates a ***random*** capture token. ***Random capture token is utilized in subsequent payment capture processing to associate the payment capture request with the payment authorization request being processed***, please note that the process of utilizing or generating token by the computer system in subsequent payment capture is readable as the process of creating a token representation of the data." (Emphasis added). *See* Office Action of 11/19/01, p. 4.

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As stated in a previous response dated September 24, 2001, and as admitted by the PTO in the aforementioned paragraph, Nguyen et al. actually teach away from the claimed invention because their payment gate computer system merely generates a *random* capture token *to associate the payment capture request with the payment authorization request*. Thus, the process of utilizing or generating a token by the computer system of Nguyen et al. in subsequent payment capture is *not readable* nor *can it be interpreted* as the process of "creating a token representation of a data stream of the desired application" as claimed. In other words, the capture token generated by the system of Nguyen et al. is merely a *random* token associating a payment capture request to a payment authorization request, and it is not used as a token representation of the data stream parsed from the desired application (i.e., the payment capture request or the payment authorization request, if they can even be considered as applications) as claimed.

Furthermore, as stated in the previous response of 9/24/01, to which the PTO did not dispute in the final Office Action, Nguyen et al. fail to disclose the features of claims 19-21, namely, "a token-creator-mapper for creating a first token representation and a second token representation of the data provided by the application that are respectively received by the first access device and the second access device."

Therefore, it is respectfully submitted that claims 14-21 are allowable over the references of record.

With regard to claims 22-27, they are allowable over Nguyen et al. and other references of record for the same reasons set forth above with regard to the allowability of claims 14-21. Furthermore, the process of authorizing credit in the system of Nguyen et al. *is not readable* nor *can it be interpreted* as the process of identifying the data stream as a legacy application stream, as asserted by the PTO. *See* final Office Action, p. 3. This is because the *random* token representation in col. 18, lines 48-65, cited by the PTO is not a created token representation of the authorizing credit data stream of Nguyen et al., i.e., the legacy application stream as claimed in claim 24.

Therefore, it is respectfully submitted that claims 22-27 are also allowable over the references of record.

For all of the above reasons, it is respectfully submitted that the claims now pending patently distinguish the present invention from the prior art of record. Accordingly, reconsideration and withdrawal the outstanding prior art rejections in a notice of allowance are earnestly solicited.

Should the Examiner determine that any further action is necessary to place this application in better form, the Examiner is encouraged to telephoned the undersigned representative at the number listed below.

Respectfully Submitted,

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